

REMARKS

Claims 1 through 9 are currently pending in the application.

This amendment is in response to the Office Action of December 26, 2001.

Applicant notes the filing of an Information Disclosure Statement herein on August 30, 2001 and notes that a copy of the PTO-1449 was not returned with the outstanding Office Action. Applicant respectfully requests that the information cited on the PTO-1449 (which is the same as that of record to that date in the parent application hereto) be made of record herein.

Claims 5 and 6 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter that was not described in the specification.

Applicant has amended claims 5 and 6 to state “wherein said vibrating step is generated by a piezoelectric crystal driven by a selected frequency to produce a given vibration frequency sufficient enough to form droplets having a diameter in the range of 40 microns to 300 microns” and “wherein said producing step further comprises forming said stream of liquid solder metal droplets having a consistent diameter in the range of 40 microns to 300 microns.” Applicant submits that such subject matter is located in the specification, at page 5, paragraph numbered [0017]. Applicant further submits that amended claims 5 and 6 comply with the provisions of 35 U.S.C. § 112, first paragraph.

Claims 5 through 8 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has amended claims 5 through 8 to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant submits that amended claims 5 through 8 comply with the provisions of 35 U.S.C. § 112, second paragraph.

Claims 1 through 9 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 11 of co-pending Application No. 09/339,015. In order to avoid further expenses and time delay, Applicant elects to expedite the prosecution of the present application by filing a terminal disclaimer to obviate

the double patenting rejection in compliance with 37 C.F.R. §1.321 (b) and (c). Applicant's filing of the terminal disclaimer should not be construed as acquiescence of the Examiner's double patenting or obviousness-type double patenting rejection. Attached is the terminal disclaimer and accompanying fee.

Applicant requests the allowance of claims 1 through 9 and the case passed for issue.

Respectfully submitted,



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Date: March 25, 2002

JRD/sls:djp

Enclosure: Version with Markings to Show Changes Made

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

A marked-up version of each of the presently amended claims, highlighting the changes thereto, follows:

5. (Amended) The method according to claim 3, wherein said vibrating step is generated by a piezoelectric crystal driven by a selected frequency to produce a given vibration frequency sufficient enough to form droplets having a diameter [substantially] in the range of [about] 40 microns to [about] 300 microns.

6. (Twice Amended) The method according to claim 1, wherein said producing step further comprises forming said stream of liquid solder metal droplets having a [substantially] consistent diameter in the range of [about] 40 microns to [about] 300 microns.

7. (Twice Amended) The method according to claim 1, wherein said blanking step comprises blanking when said stream of liquid solder metal droplets is positioned between an endpoint of a first horizontal scan line and a start point of a second horizontal scan line.

8. (Amended) The method according to claim 1, wherein said blanking step further comprises:
deflecting said stream of liquid solder metal droplets; and
catching said deflected stream of liquid solder metal droplets to prevent said drops from [prior to] being deposited on said substrate.